

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF
DIRECTORS OF THE ST. MARY'S GLACIER WATER AND
SANITATION DISTRICT

HELD

Monday, October 26, 2020

A special meeting of the Board of Directors of the ST. MARY'S GLACIER WATER AND SANITATION DISTRICT (referred to hereafter as the "Board") was convened on Monday, the 26th day of October, 2020 at 6:00 P.M., via videoconference. Due to the State of Emergency declared by Governor Polis and the threat to health and safety posed by the COVID-19 pandemic, the meeting was held via video conference through Webex and telephone conference.

ATTENDANCE

Directors in Attendance Were:

Bruce Hohne, President
Glenn Clark, Treasurer
Jason Yoho, Secretary
Frank Brown, Assistant Secretary
Beth Ramsey, Assistant Secretary

Also, in Attendance Were:

Jim Nikkel, Molly Janzen and Traci Miller; Pinnacle Consulting Group, Inc.
Colin B. Mielke; Seter & Vander Wall, P.C.
Bob Orsatti; Orsatti Water Consultants
Chris Oeland: St. Mary's Glacier Water and Sanitation District Operator
Gabrielle Begeman; ORC Water Professionals

The meeting was called to order at 6:07 P.M.

Director Yoho confirmed that a quorum of the Board was present with all five Board members in attendance.

DISCLOSURE
MATTERS

The Board had been previously advised that pursuant to Colorado law, certain disclosures by the Board members might be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member affirmed their conflicts of interest, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting. The Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

ADMINISTRATIVE
MATTERS

Agenda: Following review and discussion, upon motion duly made by Director Yoho, seconded by Director Ramsey and, upon vote, unanimously carried, the agenda was approved, as presented.

Minutes: The Board reviewed the minutes of the September 28, 2020 special meeting of the Board of Directors. Following review and discussion, upon motion duly made by Director Yoho, seconded by Director Ramsey and, upon vote, unanimously carried, the Board approved the minutes of the September 28, 2020 special meeting of the Board of Directors, as presented.

Public Comments: There were no public comments to come before the Board.

WATER SYSTEMS
IMPROVEMENTS

Orsatti Water Consultant's Report: Mr. Orsatti reviewed with the Board the written Orsatti Water Consultant's Report, noting that alternative water treatment systems are being explored for well #3. Mr. Orsatti stated that a meeting was held with CDPHE, and positive feedback was received regarding the installation of a green sand filter at well #3. The Board requested that Mr. Orsatti provide additional information including the cost of installation and projected maintenance fees.

Mr. Orsatti reported that Clear Creek County is requiring that roadway surfaces in the right of ways are repaired to a useable condition no later than November 1st. Mr. Orsatti will coordinate with CGRS regarding the construction timeline for the Phase II Water Improvement Project for the remainder of the year.

Mr. Orsatti stated that comments from CDPHE are pending on the Wastewater PNA, and funding sources are being sought.

DISTRICT
MANAGER ITEMS

Operations Report: Mr. Oeland reviewed with the Board the written Operations Report and answered questions. Mr. Oeland noted that a Parshall flume was installed at Silver Creek per state requirements with the help of ORC. Ms. Begeman reported that the installation was successful, was completed pursuant to State requirements, and the installation price was significantly less than the quote received from an engineering firm. This completes all State requirements for installation of flumes within the District.

It was confirmed that Wellhouse #5 has been successfully winterized with the installation of a new door and frame.

ORC Report: Ms. Begeman reviewed with the Board the written ORC Report and answered questions. Ms. Begeman expressed concerns with the complexity of the proposed filtration systems for Well #3. Ms. Begeman noted that Wells #1 and #5 are operating satisfactorily. The

Board discussed the replacement of a PRV at Silver Creek Road. The Board directed Ms. Begeman to prepare a quote regarding the replacement of copper fittings on new PRVs.

Manager's Report: Mr. Nikkel reported that the storage container will be delivered on Wednesday, and Mr. Oeland will be available to direct placement of the container. Mr. Nikkel reminded the Board that the November board meeting will be held on the 3rd Monday of the month per the Annual Administrative Matters Resolution. Mr. Nikkel stated that the 2021 budget hearing is scheduled to occur that evening.

FINANCIAL
ITEMS

Consideration of Payables: Ms. Janzen reviewed with the Board the claims for the period ended September 30, 2020, totaling \$332,068.28. Following review and discussion, upon motion duly made by Director Ramsey, seconded by Director Yoho and, upon vote, unanimously carried, the Board approved the EFT payments and the claims for the period September 30, 2020, totaling \$332,068.28.

Adoption of Resolution Approving Loan Agreement with Colorado Water Resources and Power Development Authority (Water Pollution Control Revolving Fund): Mr. Nikkel reviewed with the Board the Resolution Approving Loan Agreement with Colorado Water Resources and Power Development Authority (Water Pollution Revolving Fund). Following review and discussion, upon motion duly made by Director Ramsey, seconded by Director Yoho and, upon vote, unanimously carried, the Board approved the Resolution Approving Loan Agreement with Colorado Water Resources and Power Development Authority (Water Pollution Revolving Fund).

Public Hearing Date for Certification of Delinquent Accounts: Ms. Janzen reported to the Board that there are approximately 20 water and sewer accounts, and 90 availability of service accounts that are delinquent and meet the county requirements for certification. The Board discussed the process and timeline for certifying delinquent accounts. Ms. Janzen recommended that the Board certifies water and sewer accounts to the County for collection through the property tax collection process, and recommended that the Board does not certify the availability of service accounts and directs the management team to perform additional collection efforts for these accounts. It was the consensus of the Board to direct legal counsel to certify the delinquent water and sewer accounts and set a public hearing to be held at the November 16th Board Meeting. The Board requested that a statement regarding payment assistance for purposes of COVID-19 be added to the letters sent to such accounts. The Board further directed the management team to complete additional education and collection efforts for the delinquent availability of service fee accounts.

LEGAL ITEMS

Request from Gangelhoff's Regarding Modification to Variance Request: Mr. Mielke reported that Mr. and Mrs. Gangelhoff written requested modifications to the Notice of Variance for Winterland Unit 4, Lots 42 and 43, including:

- Request that the three-year time period begins when the Notice is recorded against the property, rather than the meeting date when it was approved.
- Request that the service lines are installed in a location as requested by the property owner.
- Request to allow for the property owner to request an additional extension should the three-year time period expire before construction is completed.

Mr. Mielke stated that he had no objections from a legal perspective to the first and third request, and that approval of those requests is at the Board's discretion.

Mr. Mielke stated that the second request to obtain property owner approval for location of service lines conflicts with existing rules and regulations and recommended that the Board deny the second request.

The Board directed Mr. Mielke to update the Notice of Variance so that it allows the first and third request and denies the second request made by the Gangelhoffs. Mr. Mielke stated that he will update the Notice and provide it to the Gangelhoffs for additional comment before finalizing and recording the Notice.

Update Regarding Notice of Violation for 29 and 31 Eva Road: Mr. Mielke reported that no further information has been provided by the property owner, Mr. Landau, or his attorney regarding the Notice of Violation for 29 and 31 Eva Road. Mr. Mielke noted that he talked with the Landaus' attorney in June and anticipated a written response to follow. Mr. Mielke reminded the Board that the Landaus had attended the board meeting in August via telephone and said their attorney would be providing a response soon. Mr. Mielke recommended that the Board considers contacting Mr. Landau at the first of the year if a response is not received by then.

Approval of Agreement for Conveyance of Lot 70 and Adjacent Property with Mr. and Mrs. Soucie: Mr. Mielke reported that the County is in the process of reviewing the boundary line adjustment matter, and the County's title work on that matter is pending. Final approval of the Agreement for Conveyance of Lot 70 and Adjacent Property with Mr. and Mrs. Soucie remains pending. Mr. Mielke reported that he reviewed a proposed easement agreement that could be granted by the Soucies to expedite the process, and that the District is waiting on a response from the Soucies after their review of the easement agreement.

Update Regarding Woods Court Infrastructure Proposal: Mr. Mielke reported that he is drafting a cost reimbursement agreement between the District and Mr. Meyers and will provide the draft to the Board for review once complete.

Update Regarding Concerns with Property Adjacent to District Wastewater Plant: Mr. Mielke reported that the title company is performing its review and that a title report for the wastewater treatment plant property remains pending. The title company estimates completion of the title review will take approximately two months to complete due to the complex history of land conveyances in Clear Creek County. Mr. Mielke reported that the County Attorney has been notified regarding suspected illegal earthwork on the property adjacent to the District's wastewater treatment plant property.

DIRECTORS
ITEMS

Grant Funds: Director Ramsey stated that she would review the District's budget to determine if there are any remaining opportunities for the District to apply for grant funding. Director Ramsey stated that matching funding must be available as a condition of most grants. Director Ramsey will provide the Board with an update at a future meeting.

Billing Software Update: Director Brown requested an update on the billing software migration. Ms. Janzen reported that a new system has been selected and a team is currently working on the implementation stage of the process. Ms. Janzen noted that the migration is expected to be completed in 2021.

Tap Fee Records: Director Brown requested that the management team compile a list of paid tap fees and provides information to the Board when new tap fees have been paid in order to ensure construction in the community is being completed in the proper manner.

Permit Posting: Director Ramsey reported that she had a conversation with the County Engineer and requested that permit posting becomes a requirement within the District while properties are under construction.

OTHER ITEMS

There were no Other Items to come before the Board.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 7:44 p.m.

DocuSigned by:
Jason Yoho
By: _____
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Secretary for the Meeting